

HLD-140

June 30, 2010

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT  
No. 10-1564

SANDRA L. GADSDEN,  
Appellant  
v.

JERSEY CITY PUBLIC SCHOOLS  
(D.N.J. Civ. No. 08-cv-03249)

Present: McKEE, Chief Judge, SCIRICA and WEIS, Circuit Judges

Submitted by the Clerk for possible dismissal due to a jurisdictional defect  
in the above-captioned case.

Respectfully,

Clerk

ORDER

This appeal is dismissed for lack of appellate jurisdiction. The time limit of Rule 4(a)(1) for commencing an appeal is mandatory and jurisdictional. See Bowles v. Russell, 551 U.S. 205, 209-14 (2007); Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978). A notice of appeal in a civil case in which the United States is not a party is timely if it is filed within 30 days of the entry of the order or judgment being appealed. See Fed R. App. P. 4(a)(1). The District Court entered the orders at issue in this case on July 2, 2008, and February 11, 2009. Gadsden's notice of appeal, filed on February 12, 2010 (and after we already dismissed a previous appeal of the July order as untimely and after we affirmed the February order, see Gadsden v. Jersey City Pub. Schs., 355 F. App'x 615, 617-18 (3d Cir. 2009)), is clearly untimely filed.

By the Court,

S/WEIS

United States Circuit Judge

Dated: July 23, 2010  
CJG/cc: Sandra L. Gadsen



*Marcia M. Waldron*

Marcia M. Waldron, Clerk  
Certified order issued in lieu of mandate.